

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DONALD COLE BURCHETT,

Petitioner,

vs.

DOUG WADDINGTON,

Defendant.

NO. C05-1430RSL

ORDER

On June 7, 2006, the Honorable Monica J. Benton, United States Magistrate Judge, issued her Report and Recommendation in the above-captioned matter. Dkt. # 29. The Report and Recommendation was mailed to petitioner but returned unopened on June 15, 2006, because petitioner apparently no longer resides at the address on file with the Court. The Court therefore issued an Order to Show Cause directing plaintiff to provide his current address or risk dismissal of this action.

Respondent responded to the Order to Show Cause on July 14, 2006 (Dkt. # 34), August 9, 2006 (Dkt. # 35 and 36), and August 16, 2006 (Dkt. # 37), providing three addresses at which petitioner may be located. The Clerk of Court is directed to send petitioner another copy of the Report and Recommendation (Dkt. # 29) at the following addresses:

327½ W. 2nd Ave.  
Spokane, WA 99201

MINUTE ORDER

1 Washington State Doc #984365  
2 c/o Spokane County Jail  
3 1100 W. Mallon  
4 Spokane, WA 99260-0320

5 Washington State Doc #984365  
6 Benton County Corrections  
7 7122 W. Okanogan, Building B  
8 Kennewick, WA 99336

9 Petitioner shall file and serve his objections to the recommendation, if any, within fifteen days  
10 of the date of this Minute Order. Failure to file objections within the specified time waives the  
11 right to appeal any order by the district court adopting the recommendation. Petitioner shall  
12 note his objections, if any, for consideration on the district court's calendar for the third Friday  
13 after they are filed. If no timely objections are filed, the matter will be ready for consideration  
14 by Judge Lasnik on Friday, September 22, 2006. If this attempt at service of the Report and  
15 Recommendation fails and plaintiff has not advised the Court of his current address by that date,  
16 the Court will dismiss the above-captioned matter without prejudice for failure to prosecute  
17 under Local Rule 41(b)(2).

18 DATED this 29th day of August, 2006.

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20 Robert S. Lasnik  
21 United States District Judge  
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28 MINUTE ORDER